

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:07-00116

LARRY JAMES WHITSON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On November 5, 2015, the United States of America appeared by Jennifer Rada Herrald, Assistant United States Attorney, and the defendant, Larry James Whitson, appeared in person and by his counsel, Michael D. Payne, for a hearing on the petition on supervised release submitted by United States Probation Officer Joseph Black. The defendant commenced a twelve-months less one day term of supervised release in this action on July 8, 2015, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on March 27, 2014.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to abide by the condition that he report to the probation office in the district to which he was released within 24 hours of release from custody inasmuch as he was released from Bureau of Prisons custody on July 8, 2015, to an address in Orlando, Florida, and he did not report to the probation office there within 72 hours and, after having received a certified letter at that address from the probation officer directing him to report to the probation office in Orlando, Florida, on July 31, 2015, the defendant failed to report that date or any date thereafter rendering his whereabouts unknown; and (2) the defendant failed to register as required by the Sex Offender Registration and Notification Act after taking up residence in Florida after his release from custody on July 8, 2015, up until the filing of the petition on August 6, 2015; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

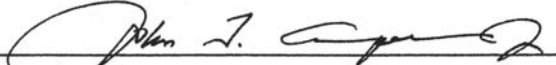
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TEN (10) MONTHS.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: November 16, 2015



John T. Copenhaver, Jr.
United States District Judge